

## REMARKS

Claims 1-9, 11-31, and 33-36 were pending in the present application and rejected. Claims 1, 17, and 25 are amended.. No new matter is added. The rejections are respectfully traversed in light of the following remarks, and reconsideration is requested.

### Rejections under 35 U.S.C. §102/103

Claims 1-6, 9, 17-21, 25, and 29-31 were rejected under 35 U.S.C. 102(e) as being anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 7,200,658 to Goeller et al. (hereinafter Goeller).

The Examiner maintains the rejections from the previous Office Action. In the Examiner's response to Applicant's previous arguments, the Examiner states, in part, that "[t]here is no positive recitation of a user actually supplying information or what type of information is being supplied. . . . In particular, the information provided such as an IP address is, in the real sense, a specific geographic location." Applicant amends the claims to more clearly recite Applicant's invention, as to more specifically recite and define user-reported geographic locations.

As discussed previously, Goeller teaches the following: Client devices generate request data packets (trace-route commands), resulting in the IP address of each router or server (at each Internet hop) being transmitted back to the client device making the request. The client device collects the IP addresses resulting from the one or more trace-routes to the various routers or servers along the route. The client device then transmits the IP addresses to a service provider attempting to determine location, where the service provider uses this information to look up location information, among other information, from a database. This database contains location information for each IP address. Using the location information, the service provider makes a determination whether the client device is likely within or

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outside a given geographic area. (See, at least, the Abstract, col. 2, line 21 to col. 3, line 20, col. 4, lines 47-67, col. 5, lines 32-58, and Figs. 1-5) (emphasis added).

Thus, consistent with the above, the Examiner appears to construe “user-reported geographic locations” as the IP address (“the information provided such as an IP address is, in the real sense, a specific geographic location.”). The IP address is automatically provided during a transmission or communication from a user device. The user does not enter or otherwise voluntarily provide an IP address.

Applicant has amended the independent claims to more clearly distinguish over Goeller. In particular, the claims now recite that “the geographic locations are voluntarily entered and directly provided by the users.” Support for the amendment is found in Applicant’s specification, at least, at page 5, lines 6-11. Home or business addresses, driver’s license numbers or states, or phone numbers are all examples in Applicant’s specification of geographic locations voluntarily entered and directly provided by the users. In fact, the specification clearly distinguishes IP address with the user-reported geographic locations, such as at page 5, lines 13-18 and page 14, lines 8-11.

The IP addresses (or request data packets and trace-route commands that result in IP addresses) in Goeller are not “geographic locations” that “are voluntarily entered and directly provided by the users,” like home or shipping addresses. The user cannot voluntarily enter an IP address.

Furthermore, in Goeller, the IP address is used to obtain a geographic location, such as by lookup, where the location is then stored. In Applicant’s claims, the “geographic location” voluntarily provided by the user is the one that is stored and used for subsequent correlation.

In other words, the user-reported voluntary geographic location is reported by the user and stored for correlating. In contrast, Goeller requires the IP address to go through further process, such as a lookup, to determine the eventual location for storage. Thus, if the IP

address is being construed as the “user-reported geographic location,” that IP address is not the geographic location being stored and used; it is the actual location obtain from the IP address through a lookup, where the IP address is then stored with a corresponding geographic location. Goeller does not allow the user to voluntarily enter or report different geographic locations.

Thus, Applicant believes the independent claims 1, 17, and 25, as amended, are patentable over Goeller for the above reasons.

Claims 2-6, 9, 18-21, and 29-31 depend on claims 1, 17, and 25 and are therefore patentable over Goeller for at least the same reasons as claims 1, 17, and 25 discussed above.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. §102/103.

#### Rejections under 35 U.S.C. §103

Claim 2-3, 11-13, 18-19, 22-23, 27-28, and 33-34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goeller in view of U.S. Patent No. 7,062,572 to Hampton (hereinafter Hampton).

Hampton was cited for teaching various limitations of dependent claims. Hampton discloses storing mapping requests from users and using information from the IP addresses to create a database for determining geographic locations. (See, e.g., Fig. 2). Thus, the location data is determined from the IP addresses, not from user-reported geographic locations that are voluntarily entered and directly provided by the users, as recited in claims 1, 17, and 25.

Therefore, Hampton does not remedy the deficiencies of Goeller as discussed above with respect to claims 1, 17, and 25.

Because claims 2-3, 11-13, 18-19, 22-23, 27-28, and 33-34 depend on claims 1, 17, and 25, these claims are patentable over Goeller in view of Hampton for reasons similar to

claims 1, 17, and 25 discussed above.

Claim 7-8, 14, 16, 27, and 36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goeller in view of Hampton and further in view of U.S. Publication No. 2003/0023541 to Black et al. (hereinafter Black).

Black discloses verifying a billing and/or alternate address associated with a transaction card purchase. (See Abstract). Thus, Black simply teaches the user entering in a request location (such as billing address), which the system verifies against its records for the transaction card. There is no teaching of the address being associated with an IP address, but rather it is associated with a transaction card. Thus, Black does not remedy the deficiencies of Goeller and Hampton as discussed above with respect to claims 1, 17, and 25. Furthermore, as discussed previously, Goeller essentially requires the database of location information (i.e., ICANN registrars) to be accurate for determining the number of routers in the trace-route that are within the geographical area of interest. Without accurate location information, this determination would likewise be inaccurate. Thus, there is no reason to combine Black with Goeller because having relying on user entered location information in Goeller would result in faulty and inaccurate determinations.

Therefore, for these reasons, claims 1, 17, and 25 are patentable over Goeller in view of Hampton and Black. Because claims 7-8, 14, 16, 27, and 36 depend on claims 1, 17, and 25, these claims are also patentable over Goeller in view of Hampton and Black.

Claim 15, 24, and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goeller and Hampton in view of Black and further in view of U.S. Patent No. 5,950,172 to Klingman (hereinafter Klingman).

Klingman is cited for teaching using feedback information to determine data integrity. However, Klingman does not teach or suggest obtaining user-reported geographic locations that "are voluntarily entered and directly provided by the users and then using the user-

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reported geographic locations to predict location. Therefore, because Klingman does not remedy the deficiencies of Goeller, Hampton and Black as discussed above with respect to claims 1, 17, and 25, claims 1, 17, and 25 are patentable over Goeller, Hampton, Black, and Klingman.

Because claims 15, 24, and 35 depend on claims 1, 17, and 25, respectively, claims 15, 24, and 35 are patentable over the cited references for at least the same reasons as claims 1, 17, and 25.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. §103.

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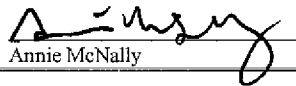
## CONCLUSION

For the foregoing reasons, Applicant believes pending claims 1-9, 11-31, and 33-36 are allowable, and a notice of allowance is respectfully requested. If the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned Attorney at (949) 202-3000.

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